



City of Racine

City Hall
730 Washington Ave.
Racine, WI 53403
www.cityofracine.org

Meeting Agenda - Final Common Council

Mayor John T. Dickert
Alderman Jeff Coe, Alderman Robert Anderson
Alderman Michael Shields, Alderman Jim Kaplan, Alderman
David L. Maack
Alderman Sandy Weidner, Alderman Terry McCarthy, Alderman
Raymond DeHahn
Alderman Q.A. Shakoor, II, Alderman Aron Wisneski, Alderman
Gregory Holding
Alderman James T. Spangenberg, Alderman Ronald D. Hart,
Alderman Robert Mozol, Alderman Kelli Stein

Tuesday, February 16, 2010

7:00 PM

Room 205, City Hall

- A. Call To Order
- B. Pledge of Allegiance To The Flag
- C. Approval of Journal of Council Proceedings (Minutes)
- D. Public Comments
- E. Communications

Refer to Finance and Personnel Committee, by Ald. Spangenberg

[10-4753](#) **Subject:** communication from the City Attorney submitting the claim of Merchants Moving & Storage Company's claim for consideration.

[10-4737](#) **Subject:** Communications from the Fire Chief requesting permission to apply for, and if awarded, accept, the 2010 DHS Port Security Grant as a sub-grantee host of the Milwaukee Fire Department. Grant Control Number 2010-006.

[10-4738](#) **Subject:** Communications from the Fire Chief requesting permission to carry forward \$33,000 from 2009 to 2010, for the acquisition of the Lucas Chest Compression (CPR) System for the Paramedic Rescue Squads.

[10-4739](#) **Subject:** Communications from the Fire Chief requesting permission to carry forward \$25,000 from 2009 to 2010, for fitness equipment as part of City's commitment to Peer Fitness Training.

[10-4740](#) **Subject:** Communication from the Fire Chief requesting permission to carry forward \$72,262 from 2009 to 2010, for City's match to the 2009 DHS Port Security Grant and the 2008 FEMA Fire Act Grant for SCBA.

[10-4752](#) **Subject:** Communication from the General Manager of the Wastewater Utility wishing to discuss the Financial Assistance Agreement for Clean Water Fund Program, Project No. 4285-15, Ohio St. Interceptor and Michigan Blvd. Collection Sewers

(Also refer to the Wastewater Commission)

Refer to Public Works and Services Committee, by Ald. Holding

[10-4743](#) **Subject:** Communication from business owners on Sixth Street requesting that the bench in the 500 block of Sixth Street be moved.

[10-4744](#) **Subject:** Communication from the Downtown Racine Corporation requesting permission to use city right-of-way on Saturday, March 13, 2010, for a St. Patrick's Day Parade.

Refer to Public Safety and Licensing Committee, by Ald. Wisneski

[10-4716](#) **Subject:** Communication from Grapes 2 Glass, LLC, Michele Bachmann, 2909 Durand Avenue, submitting a petition to exceed the Class A quota limit.

[10-4717](#) **Subject: (New)** Application of Iyad Alabed for a Secondhand Jewelry Dealer's license for 1711 N. Main Street. (4th District).

[10-4719](#) **Subject: (New)** Application of Taylor Mart, Harbans S. Daliwal, Agent for a Class "A" Retail Fermented Malt Beverage for 1813 Taylor Avenue. (3rd District) (City Watch)

[10-4754](#) **Subject:** Communication from the Director of Parks, Recreation and Cultural Services requesting to enter in an agreement with the American Red Cross for the use of Parks, Recreation & Cultural Services facilities.

[10-4755](#) **Subject:** Communication from the Director of Parks, Recreation & Cultural Services requesting change order #1 for Contract 45-09 (K9-046) Door and Window Replacement at Tyler-Domer and Dr. King Community Centers and Park Service Center by Softer Lite Window Co.

[10-4756](#) **Subject:** Communication from the Director of Parks, Recreation and Cultural Services requesting final payment for Contract 45-09 (K9-046)

Door and Window Replacement at Tyler-Domer and Dr. King
Community Centers and Park Service Center by Softer Lite Window Co.

Refer to Traffic Commission, by Ald. Holding

[10-4742](#) **Subject:** Communication from Pete Karas, Jim Spodick, Thomas Holmes and Keith Fair, requesting the removal of parking restrictions on Water Street in Downtown Racine.

Refer to Community Development Committee, by Ald. Q. A. Shakoor, II

[10-4750](#) **Subject:** Request to change the grant recipient and scope of services for the Kitchen Incubator project.

[10-4751](#) **Subject:** Request from the Director of City Development for Local Option Funds for maintenance of Southside properties.

Refer to Board of Parks, Recreation, and Cultural Services, by Ald. McCarthy

[10-4749](#) **Subject:** Communication from the President of ATM Financial requesting to place an ATM machine at Horlick Field.

F. Committee Reports

Finance and Personnel Committee Report, by Ald. Spangenberg

[10-4660](#) **Subject:** Communication from the City Attorney submitting the claim of Jason Koker for consideration.

Recommendation of the Finance & Personnel Committee on

02-08-10: The claim of Jason Koker, 4011 - 13th Street, requesting reimbursement of \$91.95 for damages to his vehicle allegedly occurred while driving over a pothole on Washington Ave. near the intersection of Perry Ave. on December 27, 2009 be denied.

Fiscal Note: N/A

[10-4674](#) **Subject:** Communication from the Assistant Commissioner of Public Works/Operations requesting to apply for a Focus on Energy Implementation Grant, City Grant Control No. 2010-004, to upgrade lighting to LED fixtures at the McMynn Parking Ramp, Phase II. (Res.10-1856)

Recommendation of the Finance & Personnel Committee on

02-08-10: Permission be granted for the Assistant Commissioner of

Public Works/Operations apply for a \$1,161 Focus on Energy Implementation Grant, City Grant Control No. 2010-004, to be utilized for upgrading lighting to LED fixtures at the McMynn Parking Ramp.

Fiscal Note: No match required on the part of the City.

[10-4661](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to apply for a grant from Fiskars Garden and Outdoor Living - Project Orange Thumb, City Grant Control No. 2010-001, for a community gardening project. (Res.10-1860)

Recommendation of the Finance & Personnel Committee on

02-08-10: Permission be granted for the Director of Parks, Recreation & Cultural Services apply for a \$2,000 grant from Fiskars Garden and Outdoor Living - Project Orange Thumb, City Grant Control # 2010-001, to be utilized for a community gardening project.

Fiscal Note: No match required on the part of the City.

[10-4678](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to discuss the use of Parkland Funds to create parking for the Dog Park at Johnson Park. (Res.10-1859)

Recommendation of the Finance & Personnel Committee on

02-08-10:Permission be granted for the Director of Parks, Recreation & Cultural Services to utilize the Open Space Park Land Funds to create a parking lot for the Dog Park at Johnson Park.

Fiscal Note: There are sufficient funds available in Fund 832, Open Space Park Lands to fund the project, estimated at less than \$30,000, which will be added on to the State DOT STH38 reconstruction project.

[10-4680](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to apply for a grant from Root Pike WIN in the amount of \$3,600, City Grant Control No. 2010-002, for Root River Buffer Maintenance. (Res.10-1857)

Recommendation of the Finance & Personnel Committee on

02-08-10:Permission be granted for the Director of Parks, Recreation & Cultural Services apply for the Root Pike WIN grant in the amount of \$3,600, City Grant Control No. 2010-002, to be utilized for the Root River buffer maintenance.

Fiscal Note: There is a soft match of \$3,200 on the part of the City.

[10-4687](#)

Subject: Communication from the Interim Public Health Administrator

requesting permission to accept \$43,400 from the Kenosha County Division of Health, Wisconsin Department of Health Services for the Wisconsin Tobacco Prevention and Control Program. (Grant Control #2010-003) (Res.10-1855)

Recommendation of the Finance & Personnel Committee on

02-08-10: The Mayor and City Clerk be authorized and directed to enter into a \$43,400 agreement with the Kenosha County Division of Health, Wisconsin Department of Health Services for the Wisconsin Tobacco Prevention and Control Program, Racine City Grant Control No. 2010-003.

Fiscal Note: Kenosha County is acting as the fiscal agent for Kenosha, Racine and Walworth counties. The City's share is \$43,400 with no match required.

10-4735

Subject: (Direct Referral) Communications from the Fire Chief requesting permission to accept the 2009 FEMA Fire Act Grant, City Grant Control 2009-019, to be utilized for replacement of Fire Department apparatus and adjust the total expenditure for the project. (Res.10-1858)

Recommendation of the Finance & Personnel Committee on

02-08-10: The Mayor and the City Clerk be authorized and directed to enter into a \$360,000 agreement with the 2009 FEMA Fire Act Grant, City Grant Control 2009-019, to be utilized for the purchase of Fire Department Hazardous Material Response apparatus.

Fiscal Note: The City's portion will not exceed \$140,000 with funds available in Account 268 HazMat.

[10-4736](#)

Subject: (Direct Referral) Communication from the Director of Information System submitting CAR 25's consulting agreement with Soura Films, Ltd.

(Item also referred to the Cable Commission)

Recommendation of the Finance & Personnel Committee on

02-08-10: Refer the item to the Committee of the Whole for consideration after the item has been addressed by the Cable Commission.

Fiscal Note: N/A

Public Works and Services Committee Report, by Ald. Holding

[09-4479](#)

Subject: Communication from Mrs. Lance McClure, 2716 Northwestern Avenue, requesting that the sidewalk along the side of her home be closed.

Recommendation of the Public Works and Services Committee on 12-8-09: That the item be referred to the Parks, Recreation and Cultural Services Commission with the request that the Parks Department maintain the sidewalk during winter months so that school children can use the sidewalk for access to Wadewitz and Gilmore Schools in an easier and safer fashion.

Recommendation of the Board of Parks, Recreation and Cultural Services 1-13-10: That the communication be referred back to the Public Works and Services Committee with the recommendation that the Parks, Recreation and Cultural Services Department not be responsible for clearing the snow.

Fiscal Note: N/A

Recommendation of the Public Works and Services Committee on 2-9-10: That the Director of Parks, Recreation and Cultural Services be directed to maintain the sidewalk which abuts 2716 Northwestern Avenue, extending from Northwestern Avenue to Neptune Avenue, for the entire 12 months of every year.

Fiscal Note: There will be additional work by the City Parks Department on regular time to keep this sidewalk area free of ice and snow.

[09-4521](#)

Subject: Communication from the Alderman of the 15th District wishing to discuss permits for special events held on sidewalks.

Recommendation of the Public Works and Services Committee on 1-12-10: Defer

Recommendation of the Public Works and Services Committee on 1-26-10: That the communication be received and filed.

Fiscal Note: Not applicable.

This item was referred back to Public Works and Services Committee from Common Council on 2-2-10.

Recommendation of the Public Works and Services Committee on 2-9-10: That the communication be received and filed.

Further recommends that the Commissioner of Public Works/City Engineer be authorized and directed to send a letter to the organizing

agencies reminding them that if their event cannot be done in such a way that it meets all traffic rules and regulations and does not result in undue hardship to the abutting property owners, that they will need to request a special event permit for closure of certain streets.

Fiscal Note: Not applicable.

[09-4608](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 58-09 (K9-059), 2009 LED Street Lights CDBG-R, Ruud Lighting, Inc., supplier. (Res.10-1879)

Recommendation of the Public Works and Services Committee on 1-26-10: Long Term Deferral

Recommendation of the Public Works and Services Committee on 2-9-10: The work done by Ruud Lighting, Inc. under Contract 58-09 (K9-059), 2009 LED Street Lights CDBG-R, be accepted and final payment authorized for a total contract amount of \$227,981.00.

Fiscal Note: Contract was authorized under Resolution No. 09-1632, dated October 6, 2009.

[10-4666](#)

Subject: Communication from the Racine Yacht Club requesting permission to use city parking lots in conjunction with the U.S. National F-18 Catamaran Sailing Championships on August 6-13, 2010. (Res.10-1868)

Recommendation of the Public Works and Services Committee on 2-9-10: That the Racine Yacht Club be granted permission to utilize the parking area at the North Rooney Recreational Area and the city owned parking lot south of the eastern terminus of Barker Street, between August 6-13, 2010, for the U.S. National F-18 Catamaran Sailing Championships.

Further recommends that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed:
- B. A liability insurance certificate be filed prior to this event.
- C. Any overtime costs incurred by any City department be charged to the sponsor;
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.

Further recommends that the Commissioner of Public Works/City Engineer and Chief of Police provide limited assistance, in the interest

of public safety, to implement this event.

FISCAL NOTE: There will be nominal costs to various City departments, on a regular shift basis, to assist in implementing this event.

10-4672

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting Amendment No. 1 on Contract 28-09 (K9-029), PS-Sewer System Data Models, Phase II, AECOM, consultant. (Res.10-1878)

Recommendation of the Public Works and Services Committee on 1-26-10: Defer

Recommendation of the Public Works and Services Committee on 2-9-10: That Amendment No. 1 to Contract 28-09 (K9-029), Professional Services - Sewer System Data Models, Phase II, AECOM Technical Services, Inc., consultant, as submitted, be approved in the amount of \$68,300.00.

Further recommends that funding to defray the cost of these professional services be appropriated from Account 987.990.5310, Sanitary Sewers.

Fiscal Note: Funds are available as herein delineated.

10-4701

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 27-08 (K8-031), Professional Services-City Hall Exterior Restoration, Industrial Roofing Services, Inc., consultant. (Res.10-1870)

Recommendation of the Public Works and Services Committee on 2-9-10: The professional services provided by Industrial Roofing Services, Inc., under Contract 27-08 (K8-031), Professional Services - City Hall Exterior Restoration, be accepted and final payment authorized for a total contract amount of \$4,250.00.

Fiscal Note: Contract was authorized under Resolution No. 08-0740, dated April 2, 2008.

10-4718

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Engineering submitting a proposed relocation order for storm sewer at 1921 Hickory Grove Avenue. (Res.10-1877)

Recommendation of the Public Works and Services Committee on 2-9-10: That the City Attorney be authorized and directed to take the necessary steps to acquire a 20' wide easement for the construction of a

storm sewer across the property located at 1921 Hickory Grove Avenue.

Fiscal Note: The acquisition of this easement will result in savings to the City of Racine.

10-4722

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/ Engineering submitting Change Order No. 1 on Contract 40-09 (K9-041), Storm Sewer Rehabilitation, A.W. Oakes & Son, contractor. (Res.10-1872)

Recommendation of the Public Works and Services Committee on 2-9-10: That Change Order No. 1 on Contract 40-09 (K9-041), Storm Sewer Rehabilitation, A.W. Oakes & Son, Inc., contractor, as submitted, be approved in the deduct amount of \$28,279.24.

Fiscal Note: Change Order No. 1 will result in a decrease in contract price.

10-4723

Subject: Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 40-09 (K9-041), Storm Sewer Rehabilitation, A. W. Oakes & Son, contractor. (Res.10-1873)

Recommendation of the Public Works and Services Committee on 2-9-10: The work done by A.W. Oakes & Son, Inc. under Contract 40-09 (K9-041), Storm Sewer Rehabilitation, be accepted and final payment authorized for a total contract amount of \$391,484.76.

Fiscal Note: Contract was authorized under Resolution No. 09-1436, dated June 2, 2009.

10-4724

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/ Engineering submitting Change Order No. 1 on Contract 44-09 (K9-045), Storm & Sanitary CIPP Lining & Manhole Repair, Visu-Sewer Clean and Seal, Inc., contractor. (Res.10-1874)

Recommendation of the Public Works and Services Committee on 2-9-10: That Change Order No. 1 on Contract 44-09 (K9-045), Storm & Sanitary CIPP Lining & Manhole Repair, Visu-Sewer Clean & Seal, Inc., contractor, as submitted, be approved in the deduct amount of \$87,975.42.

Fiscal Note: Change Order No. 1 will result in a decrease in contract price.

10-4725

Subject: (Direct Referral) Communication from the Commissioner of

Public Works/City Engineer submitting a request for final payment on Contract 44-09 (K9-045), 2009 Storm & Sanitary CIPP Lining & Manhole Repair, Visu-Sewer Clean and Seal, Inc., contractor. (Res.10-1875)

Recommendation of the Public Works and Services Committee on

2-9-10: The work done by Visu-Sewer Clean & Seal, Inc. under Contract 44-09 (K9-045), 2009 Storm & Sanitary CIPP Lining & Manhole Repair, be accepted and final payment authorized for a total contract amount of \$278,651.58.

Fiscal Note: Contract was authorized under Resolution No. 09-1490, dated July 7, 2009.

10-4726

Subject: (Direct Referral) Communication from the Assistant Commissioner of Public Works/Operations submitting a proposal for Architectural Design Services for City Hall Facilities Plan Implementation-Phase III. (Res.10-1876)

Recommendation of the Public Works and Services Committee on

2-9-10: That the Mayor and City Clerk be authorized and directed to enter into a professional services agreement with Butterfield, Rudie & Seitz for the provision of professional engineering and architectural services for the design of Phase III of the City Hall Renovations, at a price not-to-exceed \$41,650.00.

Further recommends that funds to defray the cost of these professional services be appropriated from the following accounts:

\$36,550.00 - Account 990.100.5010, City Hall Facility Plan
\$ 5,100.00 - Account 990.210.5010, Safety Building 911 Lighting
\$41,650.00 - Total

Fiscal Note: Funds are available as herein delineated.

10-4727

Subject: (Direct Referral) Communication from Southeast Wisconsin Regional Planning Commission submitting a proposal for provision of Digital Ortho Photos. (Res.10-1869)

Recommendation of the Public Works and Services Committee on

2-9-10: That the proposal by Southeastern Wisconsin Regional Planning Commissioner for the provision of digital color ortho photography for the City of Racine, in the amount of \$17,385.00, be approved as submitted.

Further recommends that funds to defray the cost of these professional services be appropriated from the following accounts:

\$ 5,000.00 - Account 287.990.5310, Sanitary Sewers
\$ 5,000.00 - Account 104.990.5420, Storm Sewers
\$ 7,385.00 - Account 990.908.5020, Concrete Paving
\$17,385.00 - Total

Fiscal Note: Funds are available as herein delineated.

[10-4732](#)

Subject: (Direct Referral) Communication from the Commissioner of Public Works/City Engineer submitting a request for final payment on Contract 49-08 (K8-057), PS - Const. Mgmt. Storm & Sanitary Sewer Lining, AECOM, consultant. (Res.10-1871)

Recommendation of the Public Works and Services Committee on 2-9-10: The professional services provided by AECOM Technical Services, Inc., under Contract 49-08 (K8-057), Professional Services - Construction Management Storm & Sanitary Sewer Lining, be accepted and final payment authorized for a total contract amount of \$65,640.49.

Fiscal Note: Contract was authorized under Resolution No. 08-0890, dated June 17, 2008.

Public Safety and Licensing Committee Report, by Ald. Wisneski

[10-4695](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to enter in an agreement with Butterfield, Rudie & Seitz Architects, Inc. to update plans and specifications for roof column repairs at the Zoological Gardens. (Res.10-1861)

Recommendation of the Public Safety and Licensing Committee on 2-8-10: That the agreement with Butterfield, Rudie and Seitz Architects, Inc to update plans and specifications for roof column repairs at the Zoological Gardens be approved.

Fiscal Note: Funds of \$330.00 are available in account 990.740.5020, Zoo North End Building

[10-4696](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting final payment for Design of Root River Canoe access by Nielsen Madsen & Barber, S.C. (Res.10-1862)

Recommendation of the Public Safety and Licensing Committee on 2-8-10: That the final payment be made for the Design of Root River Canoe access by Nielsen Madsen & Barber, S.C.

Fiscal Note: \$4,000.00 is available in account 101.170.5610.

10-4697

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to enter in an agreement with Southport Consulting, Inc. to prepare plans and specifications for Boiler Replacement at Dr. Bryant Community Center. (Res.10-1863)

Recommendation of the Public Safety and Licensing Committee on

2-8-10: That permission be granted to the Director of Parks, Recreation & Cultural Services to enter into an agreement with Southport Consulting, Inc. to prepare plans and specifications for Boiler Replacement at Dr. Bryant Community Center.

Fiscal Note: The cost not to exceed \$5,900.00 plus reimbursable costs are available in account 990-680-5010.

10-4698

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to enter in an agreement with Southport Consulting, Inc. to prepare plans and specifications for HVAC updates at Wustum Museum. (Res.10-1864)

Recommendation of the Public Safety and Licensing Committee on

2-8-10: That permission be granted to the Director of Parks, Recreation & Cultural Services to enter into an agreement with Southport Consulting, Inc. to prepare plans and specifications for HVAC updates at Wustum Museum.

Fiscal Note: Cost not to exceed \$3,700.00 plus reimbursable costs. Funds are available in account 655.000.5980 Wustum HVAC.

10-4703

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to enter in an agreement with Nielsen Madsen & Barber to prepare plans and specifications for Parks Department Pavement Projects. (Res.10-1865)

Recommendation of the Public Safety and Licensing Committee on

2-8-10: That permission be granted to the Director of Parks, Recreation & Cultural Services to enter into an agreement with Nielsen Madsen & Barber to prepare plans and specifications for Parks Department Pavement Projects be approved.

Fiscal Note: The cost is not to exceed \$24,500 plus reimbursable costs. Funds are available in the following accounts:
990.700.5020, Parks Paving Projects 10 yr. plan, \$17,605.00
990.650.5020, Humble Repave Loop Road, \$2,127.00
990.740.5010, Blacktop Paths through Zoo, \$1,100.00
207.000.5750, Cemetery Roads & Walks, \$3,668.00

[10-4707](#)

Subject: Communication from the Director of Parks, Recreation & Cultural Services requesting to enter in an agreement with U.S. Cellular Operating Company LLC for right of entry and testing at Lockwood Park for the purpose of assessing the feasibility of installing a cell tower at the park. (Res.10-1866)

Recommendation of the Public Safety and Licensing Committee on 2-8-10: That permission be granted to the Director of Parks, Recreation & Cultural Services to enter into an agreement with U.S. Cellular Operating Company LLC for right of entry and testing at Lockwood Park for the purpose of assessing the feasibility of installing a cell tower at the park.

Fiscal Note: N/A

[10-4699](#)

Subject: Ordinance 2-10

To create Section 94-22 of the Municipal Code of the City of Racine, Wisconsin relating to Traffic and vehicles - Disorderly conduct with a motor vehicle.

Recommendation of the Public Safety & Licensing Committee on 1-25-10: That Ordinance 2-10 be adopted as amended.

Recommendation of the Public Safety & Licensing Committee on 2-8-10: That Ordinance 2-10 be adopted as presented.

Fiscal Note: N/A

[10-4700](#)

Subject: Ordinance 1-10

To repeal and recreate Sec. 6-59(b) and amend Secs. 6-59(c) and (d) of the Municipal Code of the City of Racine, Wisconsin relating to Alcoholic beverages - Grant of conditional license.

Recommendation of the Public Safety and Licensing Committee on 1-25-10: That the item be deferred until the next meeting.

Recommendation of the Public Safety and Licensing Committee on 2-8-10: Alderman Wisneski made a motion to adopt 1-10 with the following change the language in Part 1 third paragraph removing bi-monthly and adding every 60 days to the end of the sentence and add that the license fee be non-refundable, and the license would not be issued should the applicant complete construction after the granted deadlines.

Motion carried with the following vote: Ayes: Wisneski, Maack, Kaplan, Mozol Noes: Weidner.

Fiscal Note: N/A

[10-4711](#)

Subject: (Direct Referral) Communication from the Purchasing Agent submitting the report of bids received on the sale of abandoned vehicles 1-25-2010.

Recommendation of the Public Safety & Licensing Committee on 2-8-10: That this item be received and filed.

Fiscal Note: This will generate revenue of \$7,123.01.

[10-4715](#)

Subject: (New Change of Agent) Application of Piggly Wiggly, Gregory Duban, Agent, for a "Class A" Fermented Malt Beverage and Intoxicating Liquor License for 3900 Erie Street (15th District)

Recommendation of the Public Safety and Licensing Committee on 2-8-10: That the change of agent application of Piggly Wiggly, Gregory Duban, Agent, for a "Class A" Fermented Malt Beverage and Intoxicating Liquor License for 3900 Erie Street be granted.

Fiscal Note: N/A

[10-4706](#)

Subject: (Direct Referral) Discussion on the Blind Alligator, 1655 Taylor Avenue.

Recommendation of the Public Safety and Licesning Committee on 2-8-10: That the matter of the Blind Alligator, 1655 Taylor Avenue be referred to a due process hearing based on the number of police calls including 2 recent incidents, the existing health violations and the existing building violations to determine whether the license should be revoked or suspended.

Fiscal Note: The approximate cost is \$8,000.

Office of the Mayor Report, by Ald. Q. A. Shakoor, II

[10-4689](#)

Subject: Communication from Mayor Dickert nominating appointments/reaappointments to the following committees, boards and/or commissions:
Appoint Margaret E. Lampark 1841 Polaris Ave Racine, 53404 to the Board of Health filling the current vacancy to a two year term, expiring on April the 1st, 2011.
Appoint Laura Martinez 1105 1/2 Hayes Ave. Racine, 53405 to the Board of Health filling the current vacancy to a two year term, expiring

on April the 1st, 2011.

Reappoint Linda O'Connell 2326 N. Main St Racine, 53402 to the Racine Sister City Planning Council to a three year term, expiring on December the 1st, 2012

Reappoint Jeff Nelson 3223 Washington Ave Racine, 53405 to the West Racine Business Improvement District Board for a three year term, expiring December the 1st, 2012

Reappoint Richard Hinsman 1242 West Blvd. Racine, 53405 to the West Racine Business Improvement District Board for a three year term, expiring December the 1st, 2012

Appoint Arthur Peterson 619 Kentucky St Racine 53405 to the Cemetary Board to fill the current vacancy for a 4 year term ending on March the 1st, 2013.

Reappoint Maricela Tellez 1002 La Salle Street Racine, 53404 to the Racine Sister City Planning Council for a 3 year term ending on December the 1st, 2012

Board of Parks, Recreation, and Cultural Services Report, by Ald. McCarthy

10-4710

Subject: Communication from the Executive Director of Racine Small Fry International, Inc. requesting to discuss a potential agreement with the City of Racine and Small Fry/Midwest Invitational tournament.

Recommendation of the Board of Parks, Recreation and Cultural Services 2-10-10: to approve the Communication from the Executive Director of Racine Small Fry International, Inc. requesting to discuss a potential agreement with the City of Racine and Small Fry/Midwest Invitational tournament for use of facilities.

Further recommend the City Attorney review the agreement for appropriate legal language prior to executing appropriate signatures.

Fiscal note: N/A

G. Consent Agenda-Resolutions

Res.10-1855

Mayor and City Clerk be authorized to enter into an agreement with Kenosha County Division of Health, Wisconsin Department of Health Services, for the Wisconsin Tobacco Prevention and Control Program

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a \$43,400 agreement with the Kenosha County Division of Health, Wisconsin Department of Health Services, for the Wisconsin Tobacco Prevention and Control Program, Racine City Grant Control No. 2010-003. The contract period is January 1, 2010 through December 31, 2010.

Fiscal Note: Kenosha County is acting as the fiscal agent for Kenosha, Racine and Walworth counties. The City's share is \$43,400 with no match required.

Sponsors: James T. Spangenberg

Res.10-1856 Permission granted to the Assistant Commissioner of Public Works/Operations to apply for a Focus on Energy Implementation Grant for upgrading the light fixtures at the McMynn Parking Ramp

Resolved, that permission be granted for the Assistant Commissioner of Public Works/Operations to apply for a \$1,161 Focus on Energy Implementation Grant, City Grant Control No. 2010-004, to be utilized for upgrading lighting to LED fixtures at the McMynn Parking Ramp.

Fiscal Note: No match required on the part of the City.

Sponsors: James T. Spangenberg

Res.10-1857 Permission granted to the Director of Parks to apply for a Root Pike WIN Grant for Root River Buffer Maintenance

Resolved, that permission be granted for the Director of Parks, Recreation & Cultural Services to apply for the Root Pike WIN Grant in the amount of \$3,600, City Grant Control No. 2010-002, to be utilized for the Root River Buffer Maintenance.

Fiscal Note: There is a soft match of \$3,200 on the part of the City.

Sponsors: James T. Spangenberg

Res.10-1858 Fire Chief granted permission to accept 2009 FEMA Fire Act Grant and authorize the Mayor and City Clerk to enter into the grant agreement

Resolved, that permission be granted to the Racine Fire Chief to accept the 2009 FEMA Fire Act Grant, City Grant Control 2009-019, to be utilized for replacement of Fire Department apparatus and adjust the total expenditure of the project, and the Mayor and the City Clerk be authorized and directed to enter into a \$360,000 agreement with the 2009 FEMA Fire Act Grant, City Grant Control 2009-019, to be utilized for the purchase of Fire Department Hazardous Material Response apparatus.

Fiscal Note: The City's portion will not exceed \$140,000 with funds available in Account 268 HazMat.

Sponsors: James T. Spangenberg

Res.10-1859 Permission granted to the Director of Parks to utilize Open Space Park Land Funds to create a parking lot for the Dog Park at Johnson Park

Resolved, that permission be granted for the Director of Parks, Recreation & Cultural Services to utilize the Open Space Park Land Funds to create a parking lot for the Dog Park at Johnson Park.

Fiscal Note: There are sufficient funds available in Fund 832, Open Space Park Lands, to fund the project estimated at less than \$30,000, which will be added on to the State DOT STH38 reconstruction project.

Sponsors: James T. Spangenberg

Res.10-1860 Permission granted for the Director of Parks to apply for a grant from Fiskars Garden and Outdoor Living - Project Orange Thumb, for a community gardening project

Resolved, that permission be granted for the Director of Parks, Recreation & Cultural Services to apply for a \$2,000 grant from Fiskars Garden and Outdoor Living - Project Orange Thumb, City Grant Control # 2010-001, to be utilized for a community gardening project.

Fiscal Note: No match required on the part of the City.

Sponsors: James T. Spangenberg

Res.10-1861 Mayor and City Clerk be authorized to enter into an agreement with Butterfield, Rudie and Seitz to update plans and specifications for roof column repairs at Zoological Gardens

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Butterfield, Rudie and Seitz Architects, Inc., to update plans and specifications for roof column repairs at the Zoological Gardens at a cost not to exceed \$330.00.

Fiscal Note: Funds of \$330.00 are available in Account 990.740.5020, Zoo North End Building Column Repairs.

Sponsors: Aron Wisneski

Res.10-1862 Work be accepted and final payment authorized to Nielsen Madsen & Barber for Design of Root River Canoe Access

Resolved, that the work be accepted and final payment authorized to Nielsen Madsen & Barber, S.C. for the Design of Root River Canoe Access, for a total contract amount of \$4,000.00.

Fiscal Note: \$4,000.00 is available in Account 101.170.5610.

Sponsors: Aron Wisneski

Res.10-1863 Mayor and City Clerk be authorized to enter into an agreement with Southport Consulting, Inc., to prepare plans and specifications for Boiler Replacement at Dr. Bryant Community Center

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Southport Consulting, Inc., to prepare plans and specifications for Boiler Replacement at Dr. Bryant Community Center at a cost not to exceed \$5,900.00 plus reimbursable costs.

Fiscal Note: The cost is not to exceed \$5,900.00 plus reimbursable costs, and funds are available in Account 990-680-5010, Bryant Center Replace Boiler.

Sponsors: Aron Wisneski

Res.10-1864 Mayor and City Clerk be authorized to enter into an agreement with Southport Consulting, Inc., to prepare plans and specifications for HVAC Updates at Wustum Museum

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Southport Consulting, Inc., to prepare plans and specifications for HVAC updates at Wustum Museum at a cost not to exceed \$3,700.00 plus reimbursable costs.

Fiscal Note: Costs not to exceed \$3,700.00 plus reimbursable costs, and funds are available in Account 655.000.5980, Wustum HVAC.

Sponsors: Aron Wisneski

Res.10-1865 Mayor and City Clerk be authorized to enter into an agreement with Nielsen Madsen & Barber to prepare plans and specifications for Parks Department Pavement Projects

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with Nielsen Madsen & Barber to prepare plans and specifications for Parks Department Pavement Projects at a cost not to exceed \$24,500.00 plus reimbursable costs.

Fiscal Note: The cost is not to exceed \$24,500 plus reimbursable costs. Funds are available in the following account:

Account 990.700.5020, Parks Paving Projects 10 yr. plan, \$17,605.00

Account 990.650.5020, Humble Repave Loop Road, \$2,127.00

Account 990.740.5010, Blacktop Paths through Zoo, \$1,100.00

Account 207.000.5750, Cemetery Road & Walks, \$3,668.00

Sponsors: Aron Wisneski

Res.10-1866 Mayor and City Clerk be authorized to enter into an agreement with U.S. Cellular Operating Company LLC for right of entry and testing at Lockwood Park

Resolved, that the Mayor and City Clerk be authorized and directed to enter into an agreement with U.S. Cellular Operating Company LLC for right of entry and testing at Lockwood Park for the purpose of assessing the feasibility of installing a cell tower at the park.

Fiscal Note: N/A

Sponsors: Aron Wisneski

Res.10-1867 Approval of Conditional Use Permit for 1701 Douglas Avenue, New Life Christian Fellowship, Inc., subject to conditions

Resolved, that the request by Felix Servantez, representing Norma Carter of New Life Christian Fellowship, Inc., seeking consideration of a request for a Conditional Use Permit to establish a church at 1701 Douglas Avenue, be approved subject to the following conditions:

That the plans submitted and presented to the Plan Commission on January 13, 2010 be approved subject to the listed conditions.

- b. That wheel stops be provided for the on-site parking spaces and adjacent to sidewalk areas where not traversed by a driveway.
- c. That prior to occupancy a \$200 fine be paid to the Building Inspection Department for occupying the building prior to receiving an approved Conditional Use Permit or Certificate of Occupancy.
- d. That all signage be submitted for the review and approval of the Director of City Development.
- e. That all signage not associated with uses currently occupying 1701 Douglas Avenue be removed within 10 days of this approval.
- f. That all trash and recyclables be store in closed containers and screened from view.
- g. That any construction or changes to the exterior of the property be subject to the review and approval of the Access Corridor Development Review Committee.
- h. That all codes and ordinances be complied with and required permits acquired.
- i. That no minor changes to the conditions of this permit without the approval of the Plan Commission and no major changes be made without the approval of the Common Council.
- j. That this permit is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A

Sponsors: Gregory Holding

Res.10-1868 Permission granted to Racine Yacht Club to utilize parking area at North Rooney Recreational Area and City-owned parking lot south of Barker Street between August 6-13, 2010, for the U.S. National F-18 Catamaran Sailing Championships

Resolved, that the Racine Yacht Club be granted permission to utilize the parking area at the North Rooney Recreational Area and the City-owned parking lot south of the eastern terminus of Barker Street, between August 6-13, 2010, for the U.S. National F-18 Catamaran Sailing Championships.

Further resolved, that permission be granted with the following stipulations:

- A. A hold harmless agreement be executed;
- B. Proof of liability insurance be filed prior to this event;
- C. Any overtime costs incurred by any City department be charged to the sponsor;
- D. The sponsor shall notify all abutting property owners seventy-two (72) hours in advance of this event.

Further resolved, that the Commissioner of Public Works/City Engineer and Chief of Police provide limited assistance, in the interest of public safety, to implement this event.

Fiscal Note: There will be nominal costs to various City departments, on a regular shift basis, to assist in implementing this event.

Sponsors: Gregory Holding

Res.10-1869 Permission granted to accept Southeastern Wisconsin Regional Planning Commission Proposal for Digital Ortho Photos for the City of Racine

Resolved, that the proposal by Southeastern Wisconsin Regional Planning Commission for the provision of digital color ortho photography for the City of Racine, in the amount of \$17,385.00, be approved as submitted.

Further resolved, that funds to defray the cost of these professional services be appropriated from the following accounts:

\$ 5,000.00 - Account 287.990.5310, Sanitary Sewers
\$ 5,000.00 - Account 104.990.5420, Storm Sewers
\$ 7,385.00 - Account 990.908.5020, Concrete Paving
\$17,385.00 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

Res.10-1870 Professional services provided by Industrial Roofing Services, Inc., under Contract 27-08 (K8-031), City Hall Exterior Restoration, be accepted and final payment authorized

Resolved, that the professional services provided by Industrial Roofing Services, Inc., under Contract 27-08 (K8-031), Professional Services - City Hall Exterior Restoration, be accepted and final payment authorized for a total contract amount of \$4,250.00.

Fiscal Note: Contract was authorized under Resolution No. 08-0740, dated April 2, 2008.

Sponsors: Gregory Holding

Res.10-1871 Professional services provided by AECOM Technical Services, Inc., under Contract 49-08 (K8-057), Construction Management Storm & Sanitary Sewer Lining, be accepted and final payment authorized

Resolved, that the professional services provided by AECOM Technical Services, Inc., under Contract 49-08 (K8-057), Professional Services - Construction Management Storm & Sanitary Sewer Lining, be accepted and final payment authorized for a total contract amount of \$65,640.49.

Fiscal Note: Contract was authorized under Resolution No. 08-0890, dated June 17, 2008.

Sponsors: Gregory Holding

Res.10-1872 Change Order No. 1 on Contract 40-09 (K9-041), Storm Sewer Rehabilitation, A.W. Oakes & Son, Inc., contractor, be approved

Resolved, that Change Order No. 1 on Contract 40-09 (K9-041), Storm Sewer Rehabilitation, A.W. Oakes & Son, Inc., contractor, as submitted, be approved in the deduct amount of \$28,279.24.

Fiscal Note: Change Order No. 1 will result in a decrease in contract price.

Sponsors: Gregory Holding

Res.10-1873 Work done by A.W. Oakes & Son, Inc., under Contract 40-09 (K9-041), Storm Sewer Rehabilitation, be accepted and final payment authorized

Resolved, that the work done by A.W. Oakes & Son, Inc., under Contract 40-09 (K9-041), Storm Sewer Rehabilitation, be accepted and final payment authorized for a total contract amount of \$391,484.76.

Fiscal Note: Contract was authorized under Resolution No. 09-1436, dated June 2, 2009.

Sponsors: Gregory Holding

Res.10-1874 Change Order No. 1 on Contract 44-09 (K9-045), Storm & Sanitary CIPP Lining & Manhole Repair, Visu-Sewer Clean and Seal, Inc., contractor, be accepted

Resolved, that Change Order No. 1 on Contract 44-09 (K9-045), Storm & Sanitary CIPP Lining & Manhole Repair, Visu-Sewer Clean & Seal, Inc., contractor, as submitted, be approved in the deduct amount of \$87,975.42.

Fiscal Note: Change Order No. 1 will result in a decrease in contract price.

Sponsors: Gregory Holding

Res.10-1875 Work done by Visu-Sewer Clean & Seal, Inc., under Contract 44-09 (K9-045), 2009 Storm & Sanitary CIPP Lining & Manhole Repair, be accepted and final payment authorized

Resolved, that the work done by Visu-Sewer Clean & Seal, Inc., under Contract 44-09 (K9-045), 2009 Storm & Sanitary CIPP Lining & Manhole Repair, be accepted and final payment authorized for a total contract amount of \$278,651.58.

Fiscal Note: Contract was authorized under Resolution No. 09-1490, dated July 7, 2009.

Sponsors: Gregory Holding

Res.10-1876 Mayor and City Clerk be authorized to enter into a Professional Services Agreement with Butterfield, Rudie & Seitz for Architectural Design Services for City Hall Facilities Plan Implementation - Phase III

Resolved, that the Mayor and City Clerk be authorized and directed to enter into a Professional Services Agreement with Butterfield, Rudie & Seitz for the provision of professional engineering and architectural services for the Design of Phase III of the City Hall Renovations, at a price not-to-exceed \$41,650.00.

Further resolved, that funds to defray the cost of these professional services be appropriated from the following accounts:

\$36,550.00 - Account 990.100.5010, City Hall Facility Plan
\$ 5,100.00 - Account 990.210.5010, Safety Building 911 Lighting
\$41,650.00 - Total

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

Res.10-1877 Permission granted for City Attorney to take steps to acquire an easement for construction of a storm sewer at 1921 Hickory Grove Avenue

Resolved, that the City Attorney be authorized and directed to take the necessary steps to acquire a 20' wide easement for the construction of a storm sewer across the property located at 1921 Hickory Grove Avenue.

Fiscal Note: The acquisition of this easement will result in savings to the City of Racine.

Sponsors: Gregory Holding

Res.10-1878 Amendment No. 1 to Contract 28-09 (K9-029), Professional Services - Sewer System Data Models, Phase II, AECOM Technical Services, Inc., be approved

Resolved, that Amendment No. 1 to Contract 28-09 (K9-029), Professional Services - Sewer System Data Models, Phase II, AECOM Technical Services, Inc., consultant, as submitted, be approved in the amount of \$68,300.00.

Further resolved, that funding to defray the cost of these professional services be appropriated from Account 987.990.5310, Sanitary Sewers.

Fiscal Note: Funds are available as herein delineated.

Sponsors: Gregory Holding

Res.10-1879 Work done by Ruud Lighting, Inc., under Contract 58-09 (K9-059), 2009 LED Street Lights CDBG-R, be accepted and final payment authorized

Resolved, that the work done by Ruud Lighting, Inc., under Contract 58-09 (K9-059), 2009 LED Street Lights CDBG-R, be accepted and final payment authorized for a total contract amount of \$227,981.00.

Fiscal Note: Contract was authorized under Resolution No. 09-1632, dated October 6, 2009.

Sponsors: Gregory Holding

H. Miscellaneous Business

I. Adjourn

Office of The City Clerk

If you are disabled and have accessibility needs or need information interpreted for you, please call the City Clerk's Office at 636-9171 at least 48 hours prior to this meeting.